

Message Text

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SUBJECT: STAFDEL VISIT AND US TUNA BOATS IN INDONESIA

REF: JAKARTA 7901

1. SUMMARY: STAFDEL MARTIN HOWELL AND JULIUS ZOLEZZI OF THE AMERICAN TUNA BOAT ASSOCIATION VISITED INDONESIA JUNE 16-19, AND, ACCOMPANIED BY EMBOFF, CALLED ON GOI FOREIGN AFFAIRS AND FISHERIES OFFICIALS IN ORDER TO DISCUSS MODALITIES OF U.S. TUNA BOATS FISHING WITHIN INDONESIA'S 200-MILE EXCLUSIVE ECONOMIC ZONE. INFORMATION DEVELOPED IS CONSISTENT WITH THAT GIVEN REFTTEL, I.E. INDONESIA INTENDS TO CLAIM A 200-MILE CONSERVATION ZONE, BUT CURRENTLY IS ONLY ENFORCING A 12-MILE ZONE. THERE ARE NO PROVISIONS FOR FOREIGN FLAG VESSELS TO BE ROUTINELY LICENSED TO FISH WITHIN THE 12-MILE ZONE, OR WITHIN INDONESIA'S "ARCHIPELAGO WATERS", ALTHOUGH ON BASIS OF GOVERNMENT TO GOVERNMENT AGREEMENT LIMITED NUMBER OF JAPANESE TUNA BOATS DO FISH IN THE BANDA SEA. ZOLEZZI WILL PROBABLY PROPOSE A TWO-YEAR TRIAL FISHING PERIOD, TO BE FOLLOWED BY U.S. INVESTMENT IN INDONESIAN JOINT VENTURE IF TRIAL FISHING PERIOD IS SUCCESSFUL. END SUMMARY.

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2. JULIUS ZOLEZZI, AN OFFICIAL OF THE AMERICAN TUNA BOAT ASSOCIATION AND THE OWNER-OPERATOR OF SEVERAL LARGE TUNA FISHING BOATS, ACCOMPANIED BY DR. MARTIN HOWELL, A MEMBER OF THE STAFF OF THE HOUSE MERCHANT MARINE AND FISHERIES COMMITTEE, VISITED INDONESIA FROM JUNE 16-19. ZOLEZZI RELATED THAT U.S. TUNA BOATS FISHING

IN PAPUA NEW GUINEA WATERS HAD OBSERVED A RICH TUNA RE-SOURCE IN INDONESIAN WATERS. HOWEVER, CONCERNED BY STORIES OF CONFISCATIONS OF FOREIGN FLAG VESSELS FOUND FISHING IN INDONESIAN WATERS, THE U.S. TUNA BOATS ARE REFRAINING FROM FISHING THESE WATERS UNTIL THEY ARE SURE WHAT THE INDONESIAN LEGAL REGIME OVER ITS CLAIMED WATERS IS.

3. IN COURSE OF SERIES OF MEETINGS, ZOLEZZI, HOWELL AND EMBOFF MET WITH HASYIM JALAL, DIRECTOR FOR INTERNATIONAL AGREEMENTS IN THE DEPARTMENT OF FOREIGN AFFAIRS. HASYIM ASSERTED THAT IT WAS IMPOSSIBLE FOR FOREIGN FLAG VESSELS TO FISH WITHIN INDONESIA'S ARCHIPELAGO WATERS EXCEPT ON THE BASIS OF A GOVERNMENT TO GOVERNMENT AGREEMENT. JAPANESE TUNA BOATS, ON THE BASIS OF SUCH AN AGREEMENT, ARE ALLOWED 100 VOYAGES A YEAR IN THE BANDA SEA, AND DISCUSSIONS ARE NOW UNDERWAY WITH THAILAND TO WORK OUT A LEGAL REGIME FOR THAI FISHERMEN TO USE INDONESIAN WATERS. AS FOR THE WATERS OUTSIDE THE ARCHIPELAGO, HASYIM CONFIRMED INFORMATION CONTAINED REFTEL, THAT IS, INDONESIA INTENDS TO CLAIM 200-MILE ECONOMIC ZONE, BUT HAS NOT YET DONE SO. CURRENTLY, INDONESIA IS ENFORCING A 12-MILE LIMIT. HASYIM ALSO POINTED OUT THAT THE INDONESIAN-PAPUA NEW GUINEA SEA BOUNDARY HAS NOT YET BEEN DEMARCATED, BUT THAT IT WOULD NOT BE A SIMPLE PERPENDICULAR EXTENSION OF THEIR LAND BOUNDARY. RATHER, BECAUSE OF THE SHAPE OF THE COAST LINE, IT WOULD BE A DIAGONAL TO THE LIMITED OFFICIAL USE

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NORTHEAST FAVORING INDONESIA, AND THEREFORE THE AMERICAN FISHING BOATS FISHING IN "PAPUA NEW GUINEA WATERS" NEAR THE INDONESIAN BORDER WERE PROBABLY ALREADY FISHING WITHIN WHAT WILL BECOME INDONESIA'S 200-MILE ECONOMIC ZONE. HASYIM CONCLUDED BY SAYING THE ONLY WAY IN WHICH AMERICAN BOATS COULD FISH IN INDONESIAN WATERS WAS THROUGH INVESTMENT IN A JOINT-VENTURE IN INDONESIA, IN WHICH CASE THE BOATS WOULD THEN HAVE TO FLY THE INDONESIAN FLAG, OR ON THE BASIS OF A USG-GOI AGREEMENT WHICH WOULD HAVE TO BE NEGOTIATED.

4. DIRECTORATE-GENERAL OF FISHERIES (DGF) OFFICIALS IN THE DEPARTMENT OF AGRICULTURE WHILE GENERALLY AGREEING WITH HASYIM'S FACTS OPENED UP A THIRD POSSIBILITY. ACKNOWLEDGING THAT POTENTIAL INVESTORS NEED TO DETERMINE THE EXTENT OF THE RESOURCE THE DIRECTOR OF INFRASTRUCTURE IN THE DGF AGREED THAT IT MIGHT BE POSSIBLE TO HAVE FOREIGN FLAG VESSELS CONDUCT A "RESEARCH TRIAL FISHING PROGRAM" LOOKING TOWARDS A JOINT VENTURE INVESTMENT IN INDONESIA. HOWEVER, ONCE THE INVESTMENT IS CONCLUDED HE ADDED THE BOATS WOULD THEN HAVE TO FLY THE INDONESIAN FLAG.

5. ZOLEZZI SEEMS ENTHUSIASTIC ABOUT THIS PROPOSAL, AND,
PENDING AGREEMENT WITH HIS ASSOCIATES IN THE U.S.,
INTENDS TO PROPOSE A TWO-YEAR TRIAL FISHING PROGRAM TO
BEGIN NOVEMBER 1978, WHICH, IF IT PROVES SUCCESSFUL,
WOULD LEAD TO JOINT VENTURE IN INDONESIA. IN PRIVATE
DISCUSSIONS WITH EMBOFF AND STAFDEL, HOWEVER, ZOLEZZI
OBSERVED THAT WHILE LARGE COMPANIES MIGHT BE WILLING TO
GIVE UP U.S. FLAG, SMALLER, INDEPENDENT OPERATORS SUCH
AS HIMSELF WOULD BE VERY RELUCTANT. HE HOPES THAT BY
MAKING PROPOSAL SUFFICIENTLY ATTRACTIVE TO THE GOI IT
MIGHT BE POSSIBLE TO AVOID THIS. HE ALSO OBSERVED
THAT USG ASSISTANCE MIGHT BE NEEDED IN ORDER TO AVOID
NECESSITY TO GIVE UP U.S. FLAG.

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